IN THE HIGH COURT OF PUNJAB AND HARYRNA AT CHANDIGARH

C.O.C.P. No.968 of 2005
Date of Decision:- 16.10.2006

Gurparkash Singh Sandhu & anr. ....Petitioners

through
Mr.Puneet Jindal, Advocate

vs.

M.P.Singh and others ....Respondents

through
Mr.G.S.Cheema, Sr.DAG, Punjab
Mr.Kanwaljit Singh, Advocate.
Mr.Sukhbir Singh Mattewal, Advocate.

***

CORAM:-HON'BLE MR.JUSTICE SURYA KANT

***

SURYA KANT, J.

The petitioners filed C.W.P.No.17695 of 2004 wherein a direction for the release of arrears of salary and other benefits to which they became entitled on account of revision of pay-scales with effect from 1.1.1996, was sought. The above-stated writ petition was disposed of in the same terms as in C.W.P.No.10097 of 2000 (Sadhu Singh and others vs. The State of Punjab and others) decided by a Division Bench of this Court August 7, 2002, vide order dated May 17, 2005 except that the rate of interest was reduced from 9% to 6% per annum.

Alleging non-compliance of the above-stated order, this contempt petition has been filed.

In response to the show cause notice, the respondents have filed their respective affidavits.

In addition, Mr.Sukhbir Singh Mattewal, learned counsel has produced details of different kinds of arrears to which the petitioners were

individually entitled.

It is not disputed that except in a few cases, entire principal amount has already been paid to the petitioners. However, learned counsel for the petitioners vehemently contends that since the respondents have failed to release the payments on time, they are entitled to interest also at the reduced rate of 6% per annum.

After hearing learned counsel for the parties and on perusing the judgment in Sadhu Singh and others' case (Annexure P-1) as well as the order Annexure P-2 passed in the case of the petitioners, I am of the considered view that since the writ petition filed by the petitioners was disposed of in the same terms as in the case of Sadhu Singh and others' case except that the rate of interest was reduced from 9% to 6% per annum, the respondents were obligated to release and disburse the arrears of revised pay and other consequential monetary benefits to the petitioners within a period of one year which was stipulated by the Division Bench in Sadhu Singh's case (supra). Admittedly, a substantial part of the arrears of principal amount was paid to the petitioners in March, 2006 i.e. within one year. However, the balance amount has been paid to them in October, 2006 only.

Consequently, this petition is disposed of with a direction that on the arrears of pay (for the period from 1.1.1996 to 28.2.1999) which have been paid to the petitioners after May 16, 2005 i.e. after expiry of one year period, respondent No.1 is also liable to pay interest at the rate of 6% per annum to the petitioners with effect from the due date till actual realisation thereof. The amount of interest, shall be paid within a period of three months from the date of receipt of copy of this order.

Similarly, the arrears of principal amount, if any, payable to the petitioners, shall also be released within the above-stated period.

Disposed of.

Rule discharged.

October 16, 2006 **(SURYA KANT)**
poonam **JUDGE**